

Amendments to Section 312 - Emergency and Hazardous Chemical Inventory Forms ("Tier II Information")

Section 2018(b) amends EPCRA section 312(e)' to add a new paragraph, "Availability to Community Water Systems" (EPCRA section 312(e) (4)). This amendment requires SERCs (or TERCs) and LEPCs to provide Tier II information submitted under section 312 to the community water systems upon request.

This means that community water systems can have access to the Tier II data collected by the state(s) for facilities that fall within a community water system's source water protection area. AWIA amendments require SER Cs and LEPCs to provide Tier II information upon request. If SER Cs (or TERCs) and LEPCs do not have Tier II information for facilities in their jurisdiction, it may be requested from those facilities. SERCs, TERCs, and LEPCs may establish procedures for community water systems to protect Tier II information shared with these entities.

Additionally, SERCs (or TERCs) and LEPCs may want to encourage drinking water primacy agencies and community water systems to attend their meetings and be involved in local emergency planning. Note that under section 2013 of A WIA, community water systems are required to conduct risk assessments and develop emergency response plans, and community water systems are required to coordinate these efforts with their LEPC to the extent possible.

EPA encourages state and local agencies, including state drinking water agencies and community water systems, to work together to meet the goal of EPCRA and AWIA, which is to protect the community from the devastating effects of chemical accidents.

If you have any questions, please contact Sicy Jacob of my staff at jacob.sicy@epa.gov or (202) 564-8019. You may also visit our website at: <https://www.epa.gov/epcra>, for additional information on AWIA.